

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE NATIONAL COLLEGIATE)	MDL No. 2492
ATHLETIC ASSOCIATION STUDENT-)	
ATHLETE CONCUSSION INJURY)	Master Docket No. 1:13-cv-09116
LITIGATION)	
)	This Document Relates to All Cases
)	
)	Judge John Z. Lee
)	
)	Magistrate Judge Geraldine Soat Brown

**DEFENDANT NCAA’S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL
SUBMISSION REGARDING ADEQUACY OF REPRESENTATION
AND THE SCOPE OF THE PROPOSED SETTLEMENT CLASS**

Defendant National Collegiate Athletic Association (the “NCAA”) respectfully requests leave to file the supplemental memorandum attached hereto as Exhibit A. In support of this motion, the NCAA states as follows:

1. On August 22, 2014, counsel who filed Nichols made a lengthy submission addressing, inter alia, the issue of adequacy of representation. See Nichols' Response to Motion for Prelim. Approval (Dkt. #83).
2. As specified in the Court's September 8, 2014 Order, Class Counsel filed a reply to the Nichols submission. See Reply in Support of Motion for Prelim. Approval (Dkt. #88). The NCAA, however, elected to not seek leave to file a response in order to avoid duplicative briefing.
3. At the October 23, 2014 hearing, the issue of adequacy of representation was a focus of the Court and, in particular, the scope of the Settlement Class and the inclusion of

Contact Sports as well as other sports.¹ See, e.g., Oct. 23, 2014 Hr'g Tr., Ex. B to Supplemental Submission of the NCAA Regarding Adequacy of Representation and the Scope of the Proposed Settlement Class, at 6:14-9:25.

4. The NCAA believes the attached memorandum may be useful to the Court as it addresses the issues regarding adequacy of representation raised at the October 23, 2014 hearing. See Exhibit A hereto.

WHEREFORE, the NCAA respectfully requests leave to file the supplemental memorandum attached hereto as Exhibit A.

Dated: November 17, 2014

Respectfully submitted,

/s/ Mark S. Mester

Lead Counsel for Defendant
National Collegiate Athletic Association

Mark S. Mester
mark.mester@lw.com
Johanna M. Spellman
johanna.spellman@lw.com
LATHAM & WATKINS LLP
330 North Wabash Avenue, Suite 2800
Chicago, Illinois 60611
Telephone: (312) 876-7700
Facsimile: (312) 993-9767

J. Christian Word
christian.word@lw.com
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, D.C. 20004-1304
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

¹ Capitalized terms in this motion have the meaning ascribed to them in the Settlement Agreement, which itself is Exhibit A to the amended motion for preliminary approval of Plaintiffs Adrian Arrington, et al. ("Plaintiffs"). See Am. Settlement Agt. (Dkt. #92).

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CERTIFICATE OF SERVICE

I, Mark S. Mester, certify that on November 17, 2014, a true and correct copy of Defendant NCAA's Motion For Leave To File A Supplemental Submission Regarding Adequacy Of Representation And The Scope Of The Proposed Settlement Class was filed through the ECF system and served upon the following parties by prepaid first class mail:

Timothy J. McIlwain
TIMOTHY J. MCILWAIN, ATTORNEY AT
LAW, LLC
89 River Street #1538
Hoboken, NJ 07030
Telephone: 877-375-9599
Facsimile: 609-450-7017

Edgar D. Gankendorff
PROVOSTY & GANKENDORFF, L.L.C.
650 Poydras Street, Suite 2700
New Orleans, LA 70130
Telephone: 504-410-2795
Facsimile: 504-410-2796

Elizabeth J. Cabraser
LIEFF CABRASER HEIMANN &
BERNSTEIN
275 Battery Street, 29th Floor
San Francisco, CA 94111
Telephone: 415-956-1000
Facsimile: 415-956-1008

/s/ Mark S. Mester

Mark S. Mester

mark.mester@lw.com

LATHAM & WATKINS LLP

330 North Wabash Avenue, Suite 2800

Chicago, Illinois 60611

Telephone: (312) 876-7700

Facsimile: (312) 993-9767